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Dara M. Kendall
Name of Attorney
43,700
Registration No.
Dara M. Kendall
Signature of Attorney

OFFICIAL

Case 8163

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of

M. L. VATTER

Serial No.: 09/902,048

Filed: July 10, 2001

Confirmation No.: 7755

Group Art Unit:

Examiner:

For: TRANSFER-RESISTANT MAKEUP REMOVING COMPOSITIONS
INFORMATION DISCLOSURE STATEMENT

FAX RECEIVED
FEB 29 2002
GROUP 1600

Commissioner for Patents

Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, record is being made below in a Form PTO-1449 of documents which the Patent Office may wish to consider in connection with examination of the above-identified patent application. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case. As provided in §1.97(g), no representation is made or intended that a thorough art search was made. As provided in 37 C.F.R. §1.97(h), this Information Disclosure Statement does not constitute an admission of any kind, and specifically is not an admission that the documents listed on attached form PTO-1449 are, or are considered to be, material to the patentability of the above-identified patent application, as defined in 37 C.F.R. §1.56(b).

1. 37 C.F.R. §1.97 (b)(1) - U.S. Direct (within 3-months of filing a regular application or converted provisional)

This information disclosure statement, submitted under 37 C.F.R. §1.97 (b)(1), is being filed within three months of the filing date of a national application. Therefore, no fee is believed to be due.

2. 37 C.F.R. §1.97 (b)(2) - Via PCT (within 3 mo. of Nat'l Stage Entry)

This information disclosure statement, submitted under 37 C.F.R. §1.97 (b)(2), is being filed within three months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application. Therefore, no fee is believed to be due.

3. 37 C.F.R. §1.97(b)(3) - (>3 m . after filing direct or nat'l stage entry, but before 1st O.A.)

This information disclosure statement is being submitted under 37 C.F.R. §1.97(b)(3). Applicants have not received an Office Action on the merits in the present application. Therefore, no fee is believed to be due. However, in the event that this paper is crossing in the mail with a first Office Action on the merits, authorization is hereby given to charge the required fee pursuant to 37 C.F.R. §1.97(c) and 37 C.F.R. §1.17(p) to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. A duplicate of this letter is enclosed to facilitate charging of the fee, if necessary.

**THE FOLLOWING IS ADDITIONAL INFORMATION PERTAINING TO
(2) OR (3) MARKED WITH AN (X) ABOVE.**

(a) The Notification of Acceptance of this Application Under 35 U.S.C. §371 indicates that both a copy of the International Search Report and copies of the references cited therein are present in the national stage file. In accordance with MPEP §1893.03(g), it is respectfully requested that the Examiner note the consideration of these references in the first Office Action via the PTO-892 form.

(b) The Notification of Acceptance of this Application Under 35 U.S.C. §371 indicates that a copy of the International Search Report is present in the national stage file. Copies of the references cited in that report are enclosed.

(c) The Notification of Acceptance of this Application Under 35 U.S.C. §371 does not indicate that a copy of the International Search Report and copies of the references cited are present in the national stage file. Copies of the International Search Report and references are attached.

4. 37 C.F.R. §1.97(b)(4) - (before the mailing of a first Office Action after the filing of a request for continued examination under §1.114)

This information disclosure statement, submitted under 37 C.F.R. §1.97(b)(4), is being filed with the Request for Continued Examination (RCE) under 37 C.F.R. §1.114.

5. Information to be Considered with CPA Filing. This information disclosure statement is being filed with a Continued Prosecution Application (CPA) filed under 37 CFR 1.53(d).6. 37 C.F.R. §1.97(c) with fee payment - (use after 1st Office Action & before Final Office Action or Notice of Allowance)

This information disclosure statement is being submitted under 37 C.F.R. §1.97(c). Applicant(s) have not received a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the application (e.g., *Ex parte Quayle*) as of the date of this submission. Applicant(s) elect to pay the fee set forth in 37 C.F.R. §1.17(p). Please charge the fee set forth in 37 C.F.R. §1.17(p) to Deposit Account Number 16-2480 in the name of The Procter & Gamble Company. A duplicate copy of this letter is enclosed to facilitate the charging of the fee.

ADDITIONAL ITEMS TO BE NOTED BY THE EXAMINER:

(1) Copies of the cited references were previously cited by or submitted to the USPTO in prior application Case No. _____, U.S. Patent Application Serial No. _____ filed _____. Applicants claim priority to said application under 35 U.S.C. §120. Accordingly, copies of those documents are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d).

(2) Copies of the cited documents are enclosed.

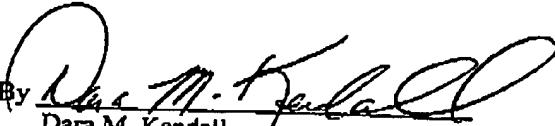
OR

(3) Copies of all said documents, except document No.'s _____, were submitted and considered in parent application U.S. Patent Application Serial No. _____ filed _____. Applicant(s) claim priority to said application under 35 U.S.C. §120. Accordingly, copies of document No.'s _____ are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d). Copies of document No.'s _____ are enclosed. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case.

(4) Pursuant to 37 C.F.R. §1.98(c), a concise explanation of the relevance of each cited reference that is not in the English language is provided.

Additional information is attached.

Respectfully submitted,

By 
 Dara M. Kendall
 Attorney for Applicants
 Registration No. 43,709
 (513) 626-1789

Sext. 7, 2001

Customer No. 27740

(IDS.doc)
 (Last Revised 2/14/01)

COPENDING APPLICATIONS

| <u>Atty. Docket No.</u> | <u>Serial Number</u> | <u>Inventor(s)</u> | <u>Filing Date</u> |
|-------------------------|----------------------|--------------------|--------------------|
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| | |
|------------------------|--------------|
| Application Number | 09/902,048 |
| Confirmation Number | 7755 |
| Filing Date | 7/10/2001 |
| First Named Inventor | M. L. Vatter |
| Group Art Unit | 1619 |
| Examiner Name | |
| Attorney Docket Number | 8163 |

HEET 1 of 4

U. S. PATENT DOCUMENTS

| EXAMINER INITIALS* | Cite No. ¹ | U. S. PATENT DOCUMENT Number | KIND CODE ² (If known) | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear |
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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SHEET 2 of 4

COMPLETE IF KNOWN

| | |
|------------------------|--------------|
| Application Number | 09/902,048 |
| Confirmation Number | 7735 |
| Filing Date | 7/10/2001 |
| First Named Inventor | M. L. Vatter |
| Group Art Unit | 1619 |
| Examiner Name | |
| Attorney Docket Number | 8163 |

U. S. PATENT DOCUMENTS

| EXAMINER INITIALS ² | Cite No. ¹ | U.S. PATENT DOCUMENT Number | Kind Code ³ (if known) | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear |
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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HEET 3 of 4

COMPLETE IF KNOWN

| | |
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| Application Number | 09/902,048 |
| Confirmation Number | 7755 |
| Filing Date | 7/10/2001 |
| First Named Inventor | M. L. Vatter |
| Group Art Unit | 1619 |
| Examiner Name | |
| Attorney Docket Number | 8163 |

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COMPLETE IF KNOWN

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| Application Number | 09/902,048 |
| Confirmation Number | 7755 |
| Filing Date | 7/10/2001 |
| First Named Inventor | M. L. Vatter |
| Group Art Unit | 1619 |
| Examiner Name | |
| Attorney Docket Number | 8163 |

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT
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HEET 4 of 4

FOREIGN PATENT DOCUMENTS

| Cite No. ¹ | Office ² | FOREIGN PATENT DOCUMENT Number ³ | Kind Code ⁴ (if known) | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Paged, Columns, Lines Where Relevant Passages or Relevant Figures Appear | T ⁵ |
|-----------------------|---------------------|---|-----------------------------------|---|--|--|----------------|
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- Copies of references (142);
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Vatter et al.
09/902,048
7755
7/10/2001
8163



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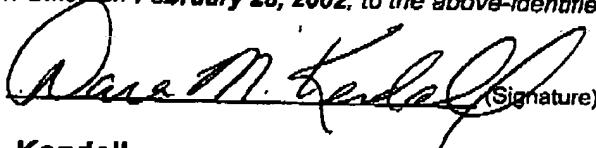
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- 1) Copy of Information Disclosure Statement, with accompanying Form PTO/SB08, dated September 7, 2001;
- 2) Copy of return postcard date stamped by the PTO on September 10, 2001.

Number of Pages Including this Page: 10

Inventor(s): Vatter
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Comments:

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